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EXAMINER

ARSHAD, UMAR

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 05/18/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

RP

Office Action Summary

Application No.

09/632,535

Applicant(s)

EDWARDS ET AL.

Examiner

Umar Arshad

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to Amendment A, filed 2/23/2004.

Claims 1 – 24 and 26 – 33 are pending in this application. In the Amendment A, claim 25 was cancelled claims and 1, 14 and 22 were amended. This action is made final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1 – 6, 9, 10, 14 – 18, 22 – 26, 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Dabney et al., U.S. Patent No. 6,643,663.

As per claim 1, Dabney et al. teaches a computerized method for creating a story by multiple collaborators comprising:

receiving a story concept for the story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

making the story concept available for online access by multiple collaborators
(see Dabney et al., column 5, lines 60 – 65);

determining if the content from each of the multiple collaborators is approved for
the story (see Dabney et al. column 5, line 63 – column 6, line 3); and

creating the story from the content that is approved (see Dabney et al. column 5,
line 63 – column 6, line 3).

As per claim 2, which is dependent on claim 1, Dabney et al. teach the method of
claim 1 (see rejection above). Dabney et al. further teach determining if the story
concept meets pre-determined criteria; and deleting the story concept if it does not meet
the predetermined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that
the story data is reviewed in accordance with predetermined standards if it is reviewed
for approval by news editors and it is inherent that the story data is erased if it is not
approved because the story data is stored only if it is approved).

As per claim 3, which is dependent on claim 1, Dabney et al. teach the method of
claim 1 (see rejection above). Dabney et al. further teach determining if the content
meets pre-determined criteria; and deleting the content if it does not meet the
predetermined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the
story data is reviewed in accordance with predetermined standards if it is reviewed for
approval by news editors and it is inherent that the story data is erased if it is not
approved because the story data is stored only if it is approved).

As per claim 4, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for public viewing (see Dabney et al., column 6 lines 7 – 12).

As per claim 5, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for private viewing (see Dabney et al., column 5, line 65 – column 6, line 7).

As per claim 6, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: receiving a vote from an editor (see Dabney et al. column 6, lines 3 – 5; the examiner interprets the approval and storage of story data by an editor as receiving a vote from an editor).

As per claim 9, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teaches wherein the content is associated with the story through an identifier that defines the story concept and an element within the story concept (see Dabney et al., column 10, lines 32 – 35).

As per claim 10, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method wherein the content received from one of the multiple collaborators is of a different type than content received from another one of the multiple collaborators (see Dabney et al., column 5, lines 63 – 64).

As per claim 14, Dabney et al. teach a computer-readable medium having computer-executable instructions to cause a server computer to perform a method comprising:

receiving a concept for a story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

receiving content related to an element in a concept for a story from one of a plurality of collaborators coupled to the server computer (see Dabney et al., column 6, lines 3 – 12);

receiving a decision on the content from an editor, the editor being chosen from the group consisting of the plurality of collaborators and an originator of the concept (see Dabney et al., column 5, line 63 – column 6, line 3 and column 6, lines 3 – 12); and

including the content in the story if the decision of the editor is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

As per claim 15, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach publishing the story online when all content for the concept is approved (see Dabney et al., column 6, line 3 – 12 and lines 20 – 24).

As per claim 16, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach deleting the content if it does not meet pre-determined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 17, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach receiving the concept for the story from the originator (see Dabney et al., column 5, line 63 – column 6, line 2).

As per claim 18, which is dependent on claim 17, Dabney et al. teach the computer-readable medium of claim 17 (see rejection above). Dabney et al. further teach making the concept available if it meets pre-determined standards (see Dabney et

al., column 6, lines 3 – 5; it is inherent that when the news editors approve the story they are doing so by determining if it meets pre-determined standards).

As per claim 22, Dabney et al. teach a computerized system comprising:
a processor;
a memory coupled to the processor through a system bus;
a computer-readable medium coupled to the processor through the system bus;
and an online collaborative story process executed from the computer-readable medium by the processor

to cause the processor to receive a concept for an online story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept) and

to post the concept online wherein the concept defines content for the story (see Dabney et al., column 5, lines 60 – 65),

to receive content for an online story from multiple collaborators (see Dabney et al., column 6, lines 3 – 12),

to receive a decision on the content from an editor (see Dabney et al., column 6, lines 3 – 12), and

to include the content in the story if the decision is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

As per claim 23, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to publish the story online (see Dabney et al., column 12, lines 15 – 18 and column 13, lines 1 - 5).

As per claim 24, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to delete the content when the content does not satisfy pre-determined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 26, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to delete the concept when the concept does not satisfy pre-determined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 28, Dabney et al. teach a networked server system comprising:

means for posting a concept for a story in a story concept area for access by a plurality of collaborators (see Dabney et al., column 5, lines 60 – 65 as well as column 13, lines 55 – 59 and column 14, lines 20 – 29)

means for posting content associated with the story concept in a working content area, the content being received from the plurality of collaborators (see Dabney et al., column 5, line 63 – column 6, line 5);

means for voting on the content in the online working content area (see Dabney et al., column 5, lines 3 – 5; the examiner interprets approving content as voting for the content); and

means for publishing the content approved by the means for voting in a published story area to create the story (see Dabney et al., column 6, lines 3 – 12).

As per claim 29, which is dependent on claim 28, Dabney et al. teach the system of claim 28 (see rejection above). Dabney et al. further teach

means for reviewing the concept and the content in accordance with predetermined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors); and

means for deleting the concept and the content if deemed not acceptable by the means for reviewing (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is erased if the story data is stored only if it is approved).

Claim Rejections - 35 USC § 103

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view of Plantz et al., U.S. Patent No. 6,088,702.

As per claim 7, which is dependent on claim 6, Dabney et al. teach the method of claim 6. Dabney et al. do not teach notifying the editor when the content is received. Plantz et al. teach notifying the editor when the content is received (see Plantz et al. column 10, lines 15 – 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney et al. in order to notify the editor which work by the authors is complete and which work await editing.

As per claim 8, which is dependent on claim 6, Dabney et al. teach the method of claim 6 (see rejection above). Dabney et al. do not teach receiving a list of editors.

Plantz et al. teach receiving a list of editors (see Plantz et al., column 11, lines 24 – 26). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney et al. in order to facilitate editor assignment.

Claims 11 – 13, 19 – 21, 27, and 30 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view of Mullins, U.S. Patent No. 5,100,154.

As per claim 11, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. do not teach determining a reward for one or more of the multiple collaborators. Mullins teaches determining a reward for one or more of the multiple collaborators (see Mullins, column 6, lines 9 –13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 19, it is of similar scope to claim 11, and is rejected under the same rationale as claim 11.

As per claim 12, which is dependent on claim 11, Dabney et al. and Mullins teach the method of claim 11 (see rejection above). Dabney et al. do not teach wherein

determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes. Mullins teaches wherein determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes (see Mullins, column 6, lines 1 – 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 20, which is dependent on claim 19, it is of similar scope to claim 12, and is rejected under the same rationale as claim 12.

As per claim 13, which is dependent on claim 11, Dabney et al. and Mullins teach the method of claim 11 (see rejection above). Dabney et al. do not teach wherein the reward is based on a category for the story. Mullins teaches the method wherein the reward is based on a category for the story (see Mullins, column 6, lines 9 – 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 21, which is dependent on claim 19, it is of similar scope to claim 13, and is rejected under the same rationale as claim 13.

As per claim 27, which is dependent on claim 22, Dabney et al. teach the method of claim 22 (see rejection above). Dabney et al. do not teach requesting votes from viewers of the story and determining a reward based on votes received in response to

the request. Mullins teaches requesting votes from viewers of the story and determining a reward based on votes received in response to the request (see Mullins, column 6, lines 1 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 30, which is dependent on claim 29, it is of similar scope to claim 27 and is rejected under the same rationale.

As per claim 31, Dabney et al. teach displaying multiple stories to a plurality of viewers, each story comprising a story concept submitted by an originator and story content contributed by collaborators (see Dabney et al., column 5, line 60 – column 6, line 12). Dabney et al. do not teach requesting a vote on each story viewed by a viewer; receiving the vote from the viewer; and determining at least one winner from the originators and collaborators for each story.

Mullins teaches requesting a vote on each story viewed by a viewer; receiving the vote from the viewer; and determining at least one winner from the originators and collaborators for each story (see Mullins, column 6, lines 1 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 32, which is dependent on claim 31, Dabney et al. and Mullins teach the method of claim 31 (see rejection above). Dabney et al. do not teach requesting a vote for each of a plurality of categories associated with each story and wherein determining at least one winner comprises determining a winner in each of the plurality of categories.

Mullins teaches requesting a vote for each of a plurality of categories associated with each story and wherein determining at least one winner comprises determining a winner in each of the plurality of categories (see Mullins, column 6, lines 1 – 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 33, which is dependent on claim 32, Dabney et al. and Mullins teach the method of claim 32 (see rejection above). Dabney et al. do not teach rewarding the at least one winner by one or more of announcing the at least one winner, awarding a prize, and giving an amount of cash.

Mullins teaches rewarding the at least one winner by one or more of announcing the at least one winner, awarding a prize, and giving an amount of cash (see Mullins, column 6, lines 9 – 13).

Response to Arguments

Applicant's arguments filed 2/23/2004 have been fully considered but they are not persuasive.

The Applicant argues that Dabney does not disclose a story concept for a story. The Applicant asserts that Dabney's completed news story data is not equivalent to the claimed story concept. The Examiner respectfully disagrees. In column 5, lines 60 – 67 Dabney clearly teaches that human editors edit news story data for content and format. It is inherent that this story data is unfinished and is interpreted by the Examiner to be a story concept for a story because it must be edited and prepared by editors before approval by news editors and web editors before it can be a completed story. Therefore Dabney teaches a story concept for a story.

The Applicant further argues that Dabney's approval of a completed story is not equivalent to individually approving portions of the story, which were contributed by various collaborators, for inclusion into the completed story. The Examiner respectfully disagrees. In column 5, line 60 – 63 Dabney clearly teaches that news story data is contributed by various collaborators (such as journalists, reporters and photographers). In column 5, line 63 – column 6, lines 2 Dabney also teaches that this news story data is prepared for newspaper, radio and television by human editors. The Examiner interprets preparing submitted news story data and editing for content and format as approving portions of the story data. The Examiner interprets including news story data in a story as approving portions of the story which were contributed by various collaborators for inclusion into the completed story. Therefore Dabney teaches

individually approving portions of the story, which were contributed by various collaborators, for inclusion into the completed story. The examiner also notes that the limitation of individually approving portions of the story for inclusion into the completed story does not appear in the claim language of any of claims 1, 14, 22, 28 or 31.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UA

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